

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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AIMEE O'NEIL,

Case No. 2:21-cv-0036-KJD-NJK

Plaintiff,

ORDER

V.

STATE OF NEW YORK, *et al.*,

Defendants.

Before the Court for consideration is the Report and Recommendation (#11) of Magistrate Judge Nancy J. Koppe entered March 24, 2021, recommending that Plaintiff's action be dismissed with prejudice as frivolous and delusional. The Report also recommends denying Plaintiff's Application to Proceed *IFP* (#1) be denied as moot. Finally, the Report and Recommendation recommends that Plaintiff be declared a vexatious litigant and that the Court issue a narrowly tailored prefilings injunction. Though the time for doing so has passed, Plaintiff has failed to file objections to the report and recommendation.

The Court has conducted a de novo review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and LR IB 3-2. The magistrate judge correctly determined that Plaintiff's complaint was frivolous and delusional. Therefore, the complaint is dismissed with prejudice. The application to proceed *ifp* is moot. Further the magistrate judge has recommended that Plaintiff be declared a vexatious litigant and a prefilng injunction entered. There is ample evidence supporting the findings in the Report and Recommendation. Since the facts have been adequately laid out by the magistrate judge and because Plaintiff has not responded to the Report and Recommendation, it is unnecessary to repeat all the findings. The Court adopts the findings of the magistrate judge. The Court determines that the Report and Recommendation (#11) of the United States Magistrate Judge entered March 24, 2021, should be **ADOPTED and**

AFFIRMED.

IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#11) entered March 24, 2021, are **ADOPTED** and **AFFIRMED**;

IT IS FURTHER ORDERED that Plaintiff's complaint is **DISMISSED** with prejudice;

IT IS FURTHER ORDERED Plaintiff's Application to Proceed *IFP* (#1) is **DENIED as moot;**

IT IS FURTHER ORDERED that Plaintiff Aimee O'Neil is declared a **VEXATIOUS LITIGANT**;

IT IS FURTHER ORDERED that the Clerk's Office not accept for filing any complaint or *in forma pauperis* application from Aimee O'Neil unless she first obtains leave of the Court;

IT IS FURTHER ORDERED that before filing an action, Aimee O'Neil must submit a copy of this Order, the Report and Recommendation (#11) of the magistrate judge, and the proposed complaint, with a motion for leave to file a complaint. If the Court does not grant O'Neil written permission to file a complaint within thirty (30) days of her motion, permission will be deemed denied.

DATED this 20th day of April, 2021.


The Honorable Kent J. Dawson
United States District Judge